

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL ACTION NO. 4:21-CR-150-
	§	ALM-KPJ
ALEJANDRO VILLESCAS (1)	§	

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Now before the Court is the request for revocation of Defendant Alejandro Villescas's ("Defendant") supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on June 8, 2021, to determine whether Defendant violated his supervised release. Defendant was represented by Joel Keith Petrazio. The Government was represented by Will Tatum.

Defendant was sentenced on August 23, 2017, before The Honorable Phillip R. Martinez of the Western District of Texas after pleading guilty to the offense of Importation of a Controlled Substance, To-wit: Marijuana, a Class D felony. This offense carried a statutory maximum imprisonment term of 5 years. The guideline imprisonment range, based on a total offense level of 10 and a criminal history category of I, was 6 to 12 months. Defendant was subsequently sentenced to 1 month imprisonment followed by a 2-year term of supervised release subject to the standard conditions of release, plus special conditions to include 5 months home confinement, 100 hours of community service, participate in parenting classes, participate in workforce development programs as directed, and a \$100 special assessment. On November 14, 2017, Defendant completed his period of imprisonment and began service of the supervision term. On May 28, 2021, jurisdiction in this case was transferred to the Eastern District of Texas and assigned to The Honorable Amos L. Mazzant, III, U.S. District Judge.

On May 20, 2021, prior to the transfer of jurisdiction, the United States Probation Officer for the Western District of Texas executed a Petition for Warrant or Summons for Offender Under Supervision [Dkt. 1, Sealed]. Following transfer, on June 2, 2021, the United States Probation Officer for the Eastern District of Texas executed a First Amended Petition for Warrant or Summons for Offender Under Supervision [Dkt. 2, Sealed]. The Petition asserts that Defendant violated four (4) conditions of supervision, as follows: (1) The defendant shall not commit another federal, state or local crime; (2) The defendant shall not unlawfully possess a controlled substance; (3) The defendant shall not knowingly leave the federal judicial district where he or she is authorized to reside without first getting permission from the court or the probation officer; and (4) If the defendant is arrested or questioned by a law enforcement officer, the defendant shall notify the probation officer within 72 hours [Dkt. 2 at 1-2, Sealed].

The Petition alleges that Defendant committed the following acts: (1) (2) On or about May 18, 2021, Defendant was sentenced to 210 months of imprisonment pursuant to a prior plea of guilty for committing the offense of Conspiracy to Possess with the Intent to Manufacture and Distribute Methamphetamine, with the offense conduct occurring between January 2019 and up to and including July 9, 2019, in the United States District Court for the Eastern District of Texas Case Number 4:19-CR-00171-2; (3) On June 21, 2019, Defendant knowingly left the Western District of Texas, El Paso Division and Ciudad Juarez, Chihuahua, Mexico, area without the permission of the Court or probation officer; and (4) Defendant failed to notify the probation officer within seventy-two hours of his arrest on June 21, 2019 [Dkt. 2 at 1-2, Sealed].

Prior to the Government putting on its case, Defendant entered a plea of true to allegation 1 of the Petition. The Government dismissed the remaining allegations, specifically allegations 2

through 4. Having considered the Petition and the plea of true to allegation 1, the Court finds that Defendant did violate his conditions of supervised release.

Defendant waived his right to allocute before the District Judge and his right to object to the report and recommendation of this Court [Dkt. 13].

RECOMMENDATION

Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant's supervised release be revoked and that he be committed to the custody of the Bureau of Prisons to be imprisoned for a term of fifteen (15) months, to run concurrently with any term imposed in Eastern District of Texas Case No. 4:19CR171-2, with no term of supervised release to follow in this cause.

The Court also recommends that Defendant be housed in the Bureau of Prisons facility in El Paso, Texas (La Tuna), if appropriate.

SIGNED this 24th day of June, 2021.

A handwritten signature in black ink, appearing to read 'C.A. Nowak', is written over a horizontal line.

Christine A. Nowak
UNITED STATES MAGISTRATE JUDGE